



Air Pollution Control Board

San Diego County Air Pollution Control District

GOVERNING BODY

GREG COX
First District

DIANNE JACOB
Second District

DAVE ROBERTS
Third District

RON ROBERTS
Fourth District

BILL HORN
Fifth District

AGENDA ITEM

DATE: December 14, 2016

AP02

TO: Air Pollution Control Board

SUBJECT: APPROVE EIGHT-HOUR OZONE ATTAINMENT PLAN AND
REASONABLY AVAILABLE CONTROL TECHNOLOGY
DEMONSTRATION FOR THE 2008 NATIONAL OZONE STANDARD FOR
SAN DIEGO COUNTY (DISTRICTS: ALL)

Overview

This is a request to approve a proposed plan that demonstrates how the San Diego region will further reduce air pollution emissions to meet the current health-based National Ambient Air Quality Standard for ground-level ozone. Ozone, also known as "smog," is a harmful air pollutant that is formed when air pollution emissions from motor vehicles, industrial plants, consumer products, and other sources interact under the influence of sunlight and heat. This invisible gas reacts with human tissue and can cause eye, nose, and throat irritation along with permanent lung damage. Accordingly, the national ozone standards are set by the U.S. Environmental Protection Agency (EPA) at levels deemed protective of public health.

Ozone levels in our air and the number of days exceeding the national ozone standard have significantly declined over the years due to the collaborative efforts of businesses, the County, and many other stakeholders. Notwithstanding our significant air quality improvements, the region has yet to attain the ozone standard set by the EPA in 2008. This is due to many factors including the region's increase in population and motor vehicles, the weather and topography, and its location immediately south of the nation's smoggiest area (the greater Los Angeles area) and immediately north of an international border crossing. Additionally, the EPA has periodically lowered the ozone standard to better protect public health, thus necessitating additional air pollutant emission reductions to achieve the new ozone standards.

While this has been a challenge, air quality in the County has continued to improve and attainment of the national ozone standard is in sight. In fact, many of the emission reduction benefits of currently adopted rules and regulations have yet to be realized and are projected to occur in future years due to the continued replacement of older, more-polluting vehicles, engines and equipment with newer, cleaner models subject to more stringent emission control requirements. Accordingly, the proposed ozone attainment plan relies on the continued implementation of existing rules and regulations at the local, state, and federal levels to attain the ozone standard by the July 20, 2018, federal deadline. If this attainment deadline is not met, then a new ozone attainment plan would be required by 2019 that fulfills certain additional

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federal requirements, including a demonstration of ozone attainment by July 20, 2021.

Today's proposed actions also include a request to submit three existing local rules to the EPA for approval and inclusion in the State Implementation Plan for attaining and maintaining the National Ambient Air Quality Standards. These rules were previously adopted by the Board pursuant to state law, are already being implemented, and their submittal to the EPA will not result in additional air pollution control requirements. Nevertheless, their submittal to the EPA is now necessary to show compliance with federal requirements to implement "reasonably available control technology" on stationary industrial sources.

Recommendation(s)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the adoption of the proposed Eight-Hour Ozone Attainment Plan and Reasonably Available Control Technology Demonstration for San Diego County is exempt from the provisions of the California Environmental Quality Act pursuant to California Code of Regulations Title 14, Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse effect on the environment, and pursuant to California Code of Regulations, Title 14, Section 15308, as an action taken to assure the protection of the environment, where the regulatory process involves procedures for the protection of the environment.
2. Adopt a resolution entitled "Resolution Approving the Eight-Hour Ozone Attainment Plan and Reasonably Available Control Technology Demonstration for San Diego County" for transmittal to the EPA through the California Air Resources Board (CARB) for approval and inclusion in the San Diego County portion of the State Implementation Plan for attaining and maintaining the National Ambient Air Quality Standards.
3. Authorize submittal of existing Rules 61.3.1 (Transfer of Gasoline into Stationary Underground Storage Tanks), 67.21 (Adhesive Material Application Operations), and 69.3.1 (Stationary Gas Turbines) to the EPA through CARB for approval as part of the San Diego County portion of the State Implementation Plan.

Fiscal Impact

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years.

Business Impact Statement

The proposed Eight-Hour Ozone Attainment Plan and Reasonably Available Control Technology Demonstration reflect existing rules and regulations that have already been adopted and impose no new air pollution control requirements on businesses.

Advisory Board Statement

The Air Pollution Control District Advisory Committee considered the proposal during its

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meeting on October 19, 2016. While the Advisory Committee did not have a quorum, all members present expressed support of the Air Pollution Control District's recommendations.

Background

Federal law requires the EPA to set health-protective standards for common outdoor air pollutants, including ozone. Areas that violate a standard must develop a plan identifying the specific emission control measures necessary to reach attainment by the federally specified deadlines. Federal law also requires the EPA to consider updating the standard every five years, reflecting any new scientific evidence regarding impacts to public health and the environment.

The EPA has established many ozone standards over the past several decades, including a one-hour standard set in 1979 (0.12 parts per million, or ppm), which was subsequently replaced by an eight-hour standard in 1997 (0.084 ppm) to address the health effects of prolonged exposure. San Diego County attained those standards in 2001 and 2012, respectively, as a result of decades of emission reduction efforts. In 2008, the EPA strengthened the eight-hour ozone standard from 0.084 ppm to 0.075 ppm in response to health studies that showed ozone is harmful at lower levels than previously thought. This 2008 standard is the subject of today's proposed actions.

The current eight-hour ozone value in San Diego County is 0.079 ppm, reflecting ozone measurement data through 2015. Because our region must meet a 0.075 ppm standard but does not yet do so, the EPA has designated San Diego County as a "moderate" ozone nonattainment area. This designation requires the submittal of a plan that fulfills certain federal requirements, including a demonstration of regionwide ozone attainment by July 20, 2018.

The proposed Eight-Hour Ozone Attainment Plan (Attachment A) and companion Reasonably Available Control Technology Demonstration (Attachment B) rely on the continued implementation of existing rules and regulations at the local, state, and federal levels. The proposals satisfy federal requirements and were developed in collaboration with the EPA and CARB and with input from local facilities and the public. On September 8, 2016, the Air Pollution Control District held a public workshop to discuss and receive comments on the proposal and no significant issues or concerns were raised. Staff has prepared a workshop report with responses to the comments and questions received (Attachment D).

Mobile Sources

A majority of the region's air pollution is emitted by mobile sources, including cars and trucks, which are under the regulatory authority of the EPA and CARB. This underscores the importance of the Air Pollution Control District's ongoing efforts to assist the EPA and CARB in reducing mobile source emissions to ensure cleaner air for all County residents.

Specifically, the Air Pollution Control District will continue to implement Board-approved grant programs to incentivize the purchase of cleaner-than-required heavy-duty diesel vehicles and equipment. Additionally, the District will continue to assist CARB with inspections to verify compliance with CARB's mobile source regulations.

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Consequences for Failure to Meet the Attainment Deadline

Failure to attain the ozone standard by July 20, 2018, deadline would result in the region being reclassified to a "serious" ozone nonattainment area pursuant to federal law. A new ozone attainment plan would then be required, incorporating more stringent applicability thresholds for federal operating permits and a demonstration of regionwide ozone attainment by July 20, 2021. A future plan, if required, would be developed in collaboration with stakeholders and would be subject to a public review process prior to its proposed adoption.

New 2015 Ozone Standard

The EPA established a new, more health-protective eight-hour ozone standard in 2015 (0.07 ppm), which will be implemented starting in late 2017 when the EPA is scheduled to designate areas with respect to their attainment status. Because the federal requirements to implement the 2015 standard are under development at EPA, they are not addressed in today's proposed actions, which focus on the 2008 standard. Regardless, progress toward meeting the 2008 standard will also benefit efforts to attain the 2015 standard.

Environmental Statement

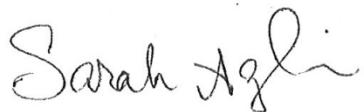
The California Environmental Quality Act (CEQA) requires environmental review for certain actions. The District conducted a preliminary CEQA assessment for the adoption of the proposed Eight-Hour Ozone Attainment Plan and Reasonably Available Control Technology Demonstration. The proposed actions will initiate an administrative process that will not result in new air pollution control requirements, or the relaxation of existing requirements. Therefore, the adoption is exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the proposal may have a significant adverse effect on the environment. Additionally, pursuant to Section 15308, the action is being taken to assure the protection of the environment, where the regulatory process involves procedures for protection of the environment. Pursuant to CEQA Guidelines Section 15062, a Notice of Exemption will be filed upon the Board's adoption of the proposal.

Linkage to the County of San Diego Strategic Plan

Today's proposed actions support the Sustainable Environments Initiative in the County of San Diego's 2016-2021 Strategic Plan with an objective to promote an environment where residents can enjoy clean air. The proposal provides ongoing reductions in air pollution emissions and helps ensure County residents will have cleaner air to breathe for years to come.

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Respectfully submitted,



SARAH E. AGHASSI
Deputy Chief Administrative Officer



ROBERT J. KARD
Air Pollution Control Officer

ATTACHMENT(S)

Attachment A – 2008 Eight-Hour Ozone Attainment Plan for San Diego County

Attachment B – 2008 Eight-Hour Ozone Reasonably Available Control Technology (RACT)
Demonstration for San Diego County

Attachment C – Resolution titled "Resolution Approving the Eight-Hour Ozone Attainment Plan
and Reasonably Available Control Technology Demonstration for San Diego
County"

Attachment D – Workshop Report

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AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: ☐ Yes ☒ No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED
☐ Yes ☒ No

PREVIOUS RELEVANT BOARD ACTIONS:

December 5, 2012 (AP01), Adopted Ozone Redesignation Request and Maintenance Plan.
February 24, 2010 (AP02), Adopted Amendments to Rule 69.3.1 (Stationary Gas Turbines).
May 14, 2008 (AP01), Adopted Amendments to Rule 67.21 (Adhesive Material Applications).
May 23, 2007 (AP01), Adopted Eight-Hour Ozone Attainment Plan for San Diego County.
March 1, 2006 (AP01), Adopted Rule 61.3.1 (Transfer of Gas into Underground Storage Tanks).
December 11, 2002 (AP02), Adopted Ozone Redesignation Request and Maintenance Plan.

BOARD POLICIES APPLICABLE:

N/A

BOARD POLICY STATEMENTS:

N/A

MANDATORY COMPLIANCE:

N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION
NUMBER(S):**

N/A

ORIGINATING DEPARTMENT: Air Pollution Control District

OTHER CONCURRENCES(S): N/A

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